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COLLECTIVE NEGOTIATIONS IN EDUCATION, A REVIEW OF RECENT LITERATURE.

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SIX RECENT BOOKS ON COLLECTIVE NEGOTIATIONS ARE REVIEWED--(1) MYRON LIEBERMAN AND MICHAEL H. MOSKOW, "COLLECTIVE NEGOTIATIONS FOR TEACHERS, AN APPROACH TO SCHOOL ADMINISTRATION," (2) MICHAEL H. MOSKOW, "TEACHERS AND UNIONS, THE APPLICABILITY OF COLLECTIVE BARGAINING TO PUBLIC EDUCATION," (3) STANLEY M. ELAM, MYRON LIEBERMAN, AND MICHAEL H. MOSKOW, "READINGS ON COLLECTIVE NEGOTIATIONS IN PUBLIC EDUCATION," (4) ROBERT E. DOHERTY AND WALTER E. OBERER, "TEACHERS, SCHOOL BOARDS, AND COLLECTIVE BARGAINING, A CHANGING OF THE GUARD," (5) T.M. STINNETT, JACK H. KLEINMANN, AND MARTHA L. WARE, "PROFESSIONAL NEGOTIATION IN PUBLIC EDUCATION," AND (6) ROY B. ALLEN AND JOHN SCHMID, EDITORS, "COLLECTIVE NEGOTIATIONS AND EDUCATIONAL ADMINISTRATION." AMONG THE AREAS DISCUSSED ARE NEGOTIATION HISTORY, TEACHER ORGANIZATIONS, NEGOTIABLE ISSUES, STRIKES AND SANCTIONS, RELEVANCE OF THE PRIVATE SECTOR, ADMINISTRATOR MEMBERSHIP IN TEACHER ORGANIZATIONS, SUPERINTENDENT ROLE IN NEGOTIATIONS, AND THE FUTURE OF NEGOTIATIONS. ALSO INCLUDED IS A LIST OF ERIC/CEA DOCUMENTS ON COLLECTIVE NEGOTIATIONS SCHEDULED FOR APPEARANCE IN "RESEARCH IN EDUCATION." THIS ARTICLE APPEARS IN THE ERIC-CEA SUPPLEMENT TO "R AND D PERSPECTIVES," WINTER, 1968, AND IS ALSO AVAILABLE FROM THE PUBLICATIONS DEPARTMENT, CENTER FOR THE ADVANCED STUDY OF EDUCATIONAL ADMINISTRATION, HENDRICKS HALL, UNIVERSITY OF OREGON, EUGENE, OREGON 97403, FOR $0.25. (HM)

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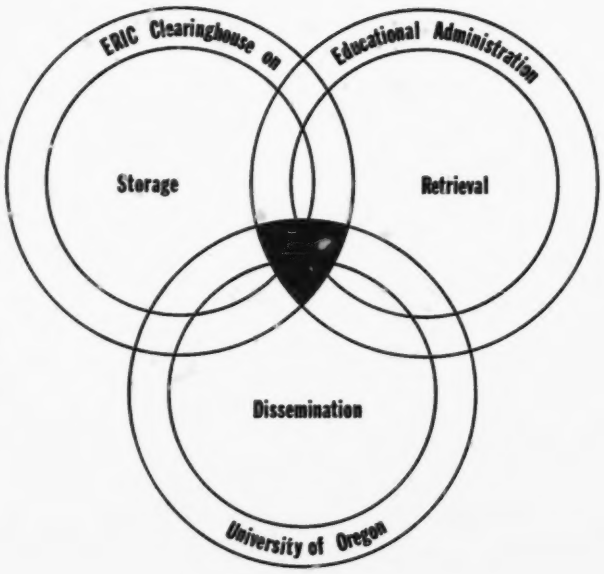

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Collective Negotiations in Education

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Collective Negotiations in Education

A Review of Recent Literature

by Stuart C. Smith, ERIC/CEA Editor

Last fall, newspaper headlines in some of the nation's largest cities underscored teachers' rising dissatisfaction with many aspects of their work. During 1967, teachers, citing a mounting list of grievances, struck an estimated 75 times in about as many school districts. By comparison, there were 33 strikes by teachers in 1966, and only 129 from 1940 to 1965.[1]

The most frequently cited teacher grievances are mediocre salaries, a negligible voice in educational policy making, problems of student discipline, overflowing classrooms, and the loss of teacher dignity and identity caused by the welding of school systems into large bureaucracy-ridden agglomerates. Many teachers among the new breed, which includes a growing number of young males, no longer settle for a system which they feel has defined the teacher as an inferior underling who can be arbitrarily ordered to perform yard and lunch duty.

Such grievances are the major reason teachers in the sixties have sought to end the traditional procedure by which boards of education have unilaterally decided teacher salaries and working conditions. Applying pressure through two rival organizations, teachers are trying to establish a new set of procedures by which school boards negotiate with representatives of teachers and of other professional school personnel concerning terms and conditions of employment. The process of teacher-school board negotiations they seek goes under a variety of names, "collective bargaining," "professional negotiations," or "collective negotiations," depending on, in the first two instances, with which teacher organization the speaker is affiliated. Teachers have sought, and have gotten in several states, legislation which establishes and regulates this process. The formalization of the process, and the inclusiveness of teacher-school board negotiations it entails, distinguish it from earlier, less structured procedures for communication between teachers and boards of education.

Accompanying the rapid spread of teacher-school board negotiations is a burgeoning of the literature about its causes and its impact on the educational system. Changes have occurred so rapidly in the relationships among teachers, principals, superintendents, and school boards as a result of the negotiations process, that many times in recent years spokesmen for each of these groups have had to revise and to restate their positions to stay abreast of current trends. Also, competition between the National Education Association and the American Federation of Teachers for support of the nation's teachers has greatly intensified as a result of the collective negotiations movement. Strategies which succeed for one organization have been quickly adopted by the other; each is under constant pressure to present itself as the most militant agent for teacher welfare.

It is thus common for even relatively new books on the subject to be robbed of currency by the rapid pace of events. Nevertheless, several books remain essential for an understanding of the current status of teacher power and for anticipating the patterns future events will take; a review of some of these follows.

Collective Negotiations for Teachers; An Approach to School Administration, Myron Lieberman and Michael H. Moskow, Rand McNally & Company, Chicago, 1966, 745 pp.

Myron Lieberman is director of Educational Research and Development at Rhode Island College, and director of the Phi Delta Kappa National Institutes on Collective Negotiations in Public Education; Michael H. Moskow is Research Associate Professor of Economics and Education at Temple University. These two authors stand out among authorities on teacher-school board negotiations. COLLECTIVE NEGOTIATIONS FOR TEACHERS, the product of their collaboration in 1966, remains the definitive analysis of "collective negotiations," a hybrid term which sidesteps the terminological hassle between the NEA and the AFT, whose preferences for the terms "professional negotiation" and "collective bargaining" are intense despite their comparable meanings. Lieberman and Moskow's approach in this book "is not so much to assume that collective negotiations will automatically prove beneficial to the public interest, but to show what problems must be solved if this is to happen."[2] Their treatment of the following major problem areas of collective negotiations is detailed and comprehensive: recognition of the professional staff by the school board, composition of the negotiating unit, administrative membership in the unit, representation and recognition procedures, the scope of negotiations, the process of negotiations, bargaining power and impasse procedures, and collective negotiation agreements. Also to be found in this beefy text is the most detailed history of the collective negotiations movement appearing in any of the works reviewed and nearly 300 pages of appendices which "include original texts of virtually every important aspect of collective negotiations: Organizational policies, school board resolutions, collective agreements, unit determinations, state and federal laws, and so on."[3]

Teachers and Unions; The Applicability of Collective Bargaining to Public Education, Michael H. Moskow, University of Pennsylvania, Wharton School of Finance and Commerce, Industrial Research Unit, Philadelphia, 1966, 288 pp.

Moskow's book, TEACHERS AND UNIONS, also published in 1966, assesses the viability of collective bargaining in public education. His conclusion is that "a modified form of local-level collective bargaining is viable in public education, and it has in fact been used in some school districts."[4] The structure and much of the language of this book are, as might be expected, repeated in the much more comprehensive COLLECTIVE NEGOTIATIONS FOR TEACHERS. Although there are differing emphases and even at least one inconsistency between the two, Moskow's book is essentially a skeleton of the larger work.

Readings on Collective Negotiations in Public Education, edited by Stanley M. Elam, Myron Lieberman, and Michael H. Moskow, Rand McNally & Company, Chicago, 1967, 470 pp.

In 1967, Lieberman and Moskow joined Stanley M. Elam, editor of the *Phi Delta Kappan*, to compile this book, which includes a spectrum of issues and opinions involved in the negotiations process. Four of the more provocative of the 41 selections in READINGS were written by the editors. Other contributors include a variety of scholars, legal and labor relations experts, and spokesmen for organizations of teachers, principals, superintendents, and school boards. Although much of the collection is dated, readers informed of current NEA, AFT and National School Boards Association policies will profit from being reminded of what those policies were two, three, or four years ago.

Teachers, School Boards, and Collective Bargaining: A Changing of the Guard, Robert E. Doherty and Walter E. Oberer, New York State School of Indus-

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trial and Labor Relations, Cornell University, Ithaca, 1967.

Robert E. Doherty, associate professor at the New York State School of Industrial and Labor Relations, Cornell University, and Walter E. Oberer, Professor of Law and Industrial and Labor Relations at Cornell, admit that conclusions about collective bargaining in education at this present stage of trial and experimentation can only be tentative. Three short chapters are devoted to causes of the collective bargaining movement in public education, to the character of the teacher organizations behind this movement, and to the implications teacher bargaining has for the quality of the educational enterprise. Of greater interest, however, is the lengthier chapter in which the authors analyze the legal questions raised by the movement, and recommend directions future legislation in this area should take.

PROFESSIONAL NEGOTIATION IN PUBLIC EDUCATION, T. M. Stinnett, Jack H. Kleinmann, and Martha L. Ware, The MacMillan Company, New York, 1966, 309 pp.

Stinnett, Kleinmann, and Ware, NEA staff members, offer a well-documented and scholarly explanation of current NEA policy on negotiations. In addition, they also discuss probable causes of increased teacher restiveness, stress the need for a new public policy to satisfy teacher demands, and summarize the past efforts of teachers to win concessions from school boards. Throughout, they concentrate on the state level, because that is where the NEA has aimed its biggest guns; readers must look elsewhere for knowledge about the American Federation of Teachers' many successes in the larger cities.

COLLECTIVE NEGOTIATIONS AND EDUCATIONAL ADMINISTRATION, edited by Roy B. Allen and John Schmid, College of Education, University of Arkansas, and the University Council for Educational Administration 1966, 126 pp.

Six professors of education and two labor relations specialists view collective negotiations in this collection of papers presented at the Fourteenth UCEA Career Development Seminar, which was held at the University of Arkansas in April, 1966. The titles and authors of the eight papers, which may be purchased individually from the ERIC Document Reproduction Service, are as follows: "The Emergent Role of the Teachers and the Authority Structure of the School," Norman J. Boyan; "The Emergent Role of Administrators and the Implications for Teacher-Administrator Relationships," Archie R. Dykes; "The Nature and Dynamics of Teacher Organization-School Administration Negotiating Activities and Their Impact on School Administration," Wesley A. Wildman; "Public Management and Collective Negotiations," Charles M. Rehmus; "Legal Implications of Concerted Action of Teachers," Henry E. Butler, Jr.; "Collective Negotiations: Implications for Preparation of Administrators," Walter W. Scott; "Collective Negotiations: Implications for Research," Robert E. Ohm; "Implications of Collective Negotiation for the Role of Superintendent," Roy B. Allen.

The History of Negotiations

Until recently, most school boards have looked with disfavor on the idea of negotiations with their professional staffs. The past opposition of the majority of school boards to collective negotiations is documented in the chapter in READINGS devoted to the school board point of view. In a 1965 address reprinted in the reader, Harold Webb, Executive Director of the National School Boards Association, cites the NSBA's BELIEFS AND POLICIES, 1965 edition, as follows: "Strikes, sanctions, boycotts, mandated arbitration, or mediation are improper procedures to be used by public school employees who are dissatisfied with their conditions of employment."[5] However, since 1965, a growing number of school boards around the country have agreed to negotiate with their teaching staffs, and the NSBA has considerably altered its opinion of which procedures are improper for aggrieved teachers to use. At its 1967 Delegate Assembly, the NSBA omitted the words "mandated arbitration" and "mediation" from the above sentence in its policy declaration, and recognized the right of teachers to organize and to choose their own representatives "for the purpose of conferring with school boards concerning the terms and conditions of their employment."[6]

Most school boards and their spokesmen in the past have insisted that they may not negotiate with school personnel unless local or state law so instructs them. Negotiation, boards have said, inevitably means a partial surrendering of some of their authority; this loss of authority would be viewed by courts as illegal delegations of power since the boards' powers derive from state laws over which they have no control. Although it is true, Moskow writes, that written agreements may not be enforceable in the courts, the traditional school board fear that negotiations with teachers is illegal "lacks validity."[7] Bargaining between boards and teachers is legal provided that boards do "not irrevocably surrender to the bargaining agent of its employees the power to make governmental rules and regulations."[8] Agreements will be accepted by the courts if they embody the provision that they are terminable at will by the public agency. This provision, claims Moskow, should be acceptable to teachers if they and the board have a tacit understanding that each party will obey the terms of the contract.[9]

In the face of the NSBA's past emphasis on school boards' legal prerogatives, teachers have been forced to seek legislation which compels boards to negotiate. As of September, 1967, 10 states[10] had enacted laws authorizing or requiring school boards to negotiate in good faith with representatives of teachers and of other professional personnel on salaries, working conditions, and various other specified or unspecified aspects of teacher-school board relations. Three of these laws apply to all public employees. In 1967, negotiation statutes were introduced in the legislatures of 15 states, and in eight additional states, legislation is expected to be introduced or enacted by 1972, promising ever more extensive teacher-school board negotiations in years to come.[11]

Teacher Organizations

A major characteristic of the movement for collective negotiations has been the organizational rivalry between the NEA and the AFT. The NEA represents about one-half of this country's two million public school teachers, and when membership in its local affiliates is added to its own, the total reaches 90 per cent. The AFT, though growing more rapidly than the NEA in recent years, speaks for only about seven per cent of all teaching personnel, but, significantly, nearly all of that seven per cent is located in cities traditionally friendly to unions. New York, Washington, D.C., Baltimore, Philadelphia, Boston, Chicago, Gary, Detroit, and Cleveland all have agreements granting the AFT the exclusive right to bargain for the city's teachers with the school board.

The NEA is stronger in cities in the South, Southwest, and West, and in towns and rural areas, which accounts for its greater efforts for legislation at the state level. It boasts of 1,540 "professional negotiation" agreements in about 44 states, most of which are concentrated in those states having collective negotiation laws.[12]

The NEA applies the term "professional negotiation" to several kinds of teacher-school board relationships, not all of which qualify as effective negotiations. The NEA's Level I professional negotiation agreement requires only recognition by the school board of a local affiliate as the representative of all teachers in the district or even merely of its own members. Level II agree-

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ments include, in addition to recognition, a definition of negotiation procedures. If a means for resolving impasses is added, the agreement is called Level III. Since PROFESSIONAL NEGOTIATION was published, the NEA has added a fourth category of agreements, Level IV or "substantive" agreements. Level IV agreements are essentially Level II or Level III agreements to which have been added "such features as a salary schedule, leave policies, and other negotiated items relating to personnel and conditions of employment often found in personnel handbooks or school system policies."[13] According to NEA information for 1966-67, of the 1,540 agreements it has filed, 124 are Level I, 615 are Level II, 298 are Level III, 398 are Level IV, and 105 have other than organizational representation.[14]

The AFT likewise makes an all-inclusive definition of "collective bargaining" and overstates the number of valid agreements its locals have made. According to Lieberman and Moskow, "a recent AFT publication even classified a grievance procedure which was part of the general policies of a local school board as a collective bargaining agreement."[15]

Moskow's study of 20 school districts ostensibly engaged in collective bargaining revealed that 16 of the districts were actually experiencing what Moskow considered to be effective collective bargaining. The criteria of effectiveness he employed were "joint decision making, bargaining power, and a reasonably wide scope of negotiable issues."[16] Moskow estimates that in 1965, when the NEA claimed to be engaged in professional negotiations in 346 school districts and the AFT claimed between 40 and 50 local affiliates engaged in collective bargaining, "that no more than 1 percent or 80 NEA affiliates and 5 percent or 25 AFT affiliates were engaging in effective collective bargaining."[17]

Both the NEA and AFT have evolved from positions of relative impotence to their present forceful sponsorship of collective negotiation agreements (by whatever name). "Possibly because of its many varied interests," writes Moskow, "until recently the NEA has never devoted a large portion of its resources to improving teacher salaries and working conditions. In fact, early in its history, the NEA claimed that discussions of teacher salaries were 'unprofessional'."[18] Not until 1962 did the NEA first officially use the term "professional negotiation." As for the AFT, there is strong evidence, writes Moskow, that even though it has advocated collective bargaining for teachers since 1935, not until the impressive victory of the AFT's New York affiliate, the United Federation of Teachers, in an election battle between it and the NEA affiliate for representation of that city's teachers in 1961, did the AFT actively begin to urge its locals to obtain collective bargaining rights.[19]

Recognition and Negotiable Issues

Each organization now advocates as one important element of the collective negotiation agreement exclusive recognition by the school board of the organization representing the majority of the district's teachers. Still, however, the NEA and the AFT continue to accept dual and proportional methods of representation as consistent with their definitions of "professional negotiation" and "collective bargaining" respectively, and only recently (the NEA in 1965) did they begin to consider exclusive recognition desirable. Moskow has concluded that exclusive recognition at the local level is a significant method of representation only when the scope of decisions made at the local level is sufficiently large for meaningful negotiations to take place.[20]

In separate policy statements each organization has claimed the right to negotiate beyond salaries and working conditions; the NEA over "all matters which affect the quality of the education program," the AFT over "anything that affects the working life of the teacher." Lieberman and Moskow express grave reservations about these claims.[21] Matters of educational policy such as the size and location of a new school or the decision to add a foreign language to the elementary school involve considerations of political or public policy. For teachers to demand a one-half share in deciding these matters would be unrealistic, and school boards would be justified in resisting their demands. Even curriculum, methodology, education priorities, and so on should not be negotiable in the same sense as working conditions.[22] Boards should seek the advice of teachers on these matters, however.

Moskow in TEACHERS AND UNIONS suggested that teachers and school boards discuss "purely professional" matters on a flexible, year-round basis rather than during the collective bargaining process, where decisions often turn on the relative powers of the parties and not on an analytical weighing of advantages and disadvantages.[23] Boyan also recognizes a need for separate procedures for decision making on educational policy and for decision making on employment conditions.[24]

Doherty and Oberer tend to agree with the teacher organizations on the scope of negotiable issues. They favor including a flexible definition of scope in teacher bargaining laws to "permit negotiations as to almost any question of educational policy not expressly preempted by state law."[25] Despite the inclusiveness of the NEA's and the AFT's claims, Lieberman and Moskow point out that few agreements reached thus far in public education go beyond the traditional definition of terms and conditions of employment.[26] A survey reported by Wildman supports this fact.[27]

Strikes and Sanctions

Although strikes by public employees are legal in no state and are illegal in at least 15, affiliates of the NEA and the AFT have struck numerous times. The AFT did not adopt an official strike policy until 1963, when its National Convention passed a resolution which recognized "the right of locals to strike under certain circumstances" and urged "the AFL-CIO and affiliated international unions to support such strikes when they occur."[28] The AFT had informally supported locals which struck before 1963.[29]

The "professional sanctions" concept which the NEA has advocated as an alternative to the strike includes a variety of pressure techniques which can be applied against an offending school district or state by the national association or by its state and local affiliates. Sanctions may include censure, refusal to perform extracurricular duties, blacklisting of districts or whole states, and refusal to accept contracts for the ensuing year. The essential difference between sanctions and strikes, according to Stinnett, Kleinmann, and Ware, is that sanctions do not force teachers to violate their contracts for the current school year.[30] However, the NEA has several times declared a "professional holiday" in violation of this principle. Lieberman and Moskow consider arguing the comparative virtues of "sanctions" and "strikes" to be futile: "Both techniques are clearly effective tools of teacher bargaining power."[31]

At its 1967 Annual Convention, the NEA further toughened its stance on resolution of impasses, evidently feeling a need to keep in step with the AFT. It advocated a series of impasse-resolution procedures which, if adopted, would render the strike "unnecessary," but at the same time promised to support strikes by it affiliates whenever those procedures fail.[32] Except for a somewhat greater wariness for public opinion evinced by the NEA, the two organizations seem equally inclined to walk off the job if such action is the only way their members' vital interests can be safeguarded. Although the AFT may be expected to be the more militant of the two, Moskow and others have pointed out that a comparison of their affiliates reveals few differences, and when differences have been noted, the more militant approach is many times that of the NEA affiliate.

Strikes have been and continue to be the most controversial method of collective action by teachers, and are the subject of

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sharp disagreement even among labor relations specialists. Lieberman and Moskow argue against generalizing about the wisdom of striking or not striking. The strike under some circumstances my be immoral or foolish, but at other times "may be an important, even a decisive, consideration in bringing about agreement."[33] Several prevalent arguments for prohibiting strikes by teachers—e.g., harm to the children, or interruption of public service—are rejected by these two authors. Doherty and Oberer, on the other hand, assert that "strikes by teachers are not desirable,"[34] and should be legal only in the case of refusal by the school board to honor an arbitration award resolving an impasse in bargaining.[35] Strikes by public employees are, in their judgment, "ill-conceived," because (1) public employers, unlike private employers, have to maintain the service, and therefore incur a strategic disadvantage, and (2) such strikes are actually strikes against the public and represent pressure for higher taxes, "a pressure from which the public should be free."[36]

Relevance of the Private Sector

The authors of PROFESSIONAL NEGOTIATION cite two differences between the NEA and the AFT "crucial to large numbers of the teaching profession."[37] One is that whereas the NEA's professional negotiation procedures will exempt teachers and school boards from labor laws and precedent, the AFT's "collective bargaining procedures, adapted from the private sector, will not."[38] The NEA, whose national membership is 15 percent supervisory personnel, is especially fearful of labor precedent which would exclude supervisors from the negotiating unit. Stinnett, Kleinmann, and Ware cite several rulings by the Wisconsin Employment Relations Board, which has regulated teacher-school board relations in that state since a collective bargaining statute for public employees was passed in 1962, to support this fear. Actually, labor precedents on this and many other issues are not at all clear-cut, say Lieberman and Moskow; labor precedents could be relied on to justify either inclusion or exclusion of supervisory personnel from the negotiating unit.[39] The ultimate criterion by which any educational policy, whether borrowed from the private sector or the public sector, must be judged, according to these labor relations experts, is its effectiveness in the environment of public education.

The second difference, state Stinnett, Kleinmann, and Ware, is that "for the purposes of mediation and appeal, procedures will go through educational channels under professional negotiation and through labor channels under collective bargaining."[40] Again, Lieberman and Moskow doubt whether this matter should be considered "crucial." Granted the need for state regulation of the procedural aspects of collective negotiations (unit determinations, representation elections, refusals to negotiate in good faith, etc.), there are both advantages and disadvantages to giving either state departments of education or state labor relations agencies the authority to do the regulating. The former agency lacks expertise in employment relations, whereas the latter agency lacks expertise in education; regulation of teacher-board of education relations unfortunately requires both kinds of expertise.[41] Also, state labor boards may tend to favor the AFT philosophy of teacher bargaining, whereas state departments of education, which are usually staffed by and cooperate closely with members of the NEA, may be expected to favor the NEA philosophy. Doherty and Oberer advocate resolving the difficulty by placing the responsibility for administering negotiation statutes in the hands of an independent agency. Their only stipulation is that the agency must devote its attention wholly to employment relations in education, because of the unique conditions that prevail in education.[42]

Administrator Membership in Teacher Organizations

Another policy distinction between the NEA and the AFT is their divergent attitudes toward organizational membership of administrative and supervisory personnel. Except for the AFT's prohibition against membership of superintendents, each organization leaves to the discretion of its local affiliates the admittance of supervisors and administrators. The NEA, espousing the unity of the profession, has generally favored including all supervisors and administrators in the same association with teachers. Only 12.4 percent of the NEA's local affiliates in 1966 confined their membership to classroom teachers.[43] The AFT, on the other hand, regards itself as the champion of classroom teachers; in 1966, fewer than one out of every five of its affiliates admitted principals or assistant principals as members.[44]

Most administrators have sympathized with the NEA's "professional" approach. Their influence in that organization doubtless contributed to its past conservatism and neglect of teacher salaries and welfare, which the AFT has made its primary concern. Administrator dominance in the NEA has slipped from what it was only a few years ago, when classroom teachers, who constitute over 85 percent of the NEA's total membership, had no representation on the NEA's Board of Trustees and no representatives appointed to the Executive Committee since 1950.[45] In 1965, the NEA Convention amended the organization's bylaws to guarantee teachers a certain minimum number of representatives on each of these bodies, and passed a resolution that the Executive Committee "move to raise classroom teacher representation as rapidly as practicable to majority status" on all relevant appointive agencies.[46] Less than one year ago, however, elementary and secondary school teachers held only 25 of 82 positions on the NEA's Board of Directors.[47]

Lieberman and Moskow have predicted that unavoidable conflicts of interest between administrators and teachers will cause principals and other upper-echelon administrative personnel to withdraw from teacher organizations at an increasingly rapid rate and to seek representation separately. One possible outcome suggested by these authors is that teachers, principals, superintendents, and other groups will charter separate organizations forming a confederation. On matters of common interest to all educators, the organizations would unite, while remaining free to go their separate ways when conflicts do arise.[48]

Another possible solution to the problems of administrative membership has been developed by Rehmus.[49] In view of the teacher associations' differing purposes at the local and state levels, he suggests that they vary their membership requirements between those levels. At the state level, where all educators have presumably common interests, membership could be inclusive to permit lobbying and general professional relationships. At the local level, where negotiations between teachers, administrators, and boards of education actually take place, teachers and administrators could belong to separate units in the parent organization. Both Rehmus' and Lieberman and Moskow's suggestions, if implemented, would require major adjustments in the structures of the two teacher organizations, particularly the NEA's. Adoption of his proposal by the NEA, according to Rehmus, would make NEA affiliates more competitive with the AFT's locals.

Role of Superintendent in Negotiations

The collective negotiations movement poses new problems concerning the role of the superintendent in teacher-school board relations. Presently, superintendents themselves disagree markedly as to what their role in the negotiations process is or ought to be. This is the conclusion of a study reported by Scott of 98 superintendents in school districts in the Midwest which are conducting negotiations between teachers and boards of education.[50]

The superintendents of many school districts have tried to function both as advisers to the board and as leaders of the teaching

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staff. The NEA is the only teacher organization which has upheld the desirability of the superintendent's dual role and his lack of allegiance to either side in the negotiations process. For him to represent only the board of education in its discussions with the teaching staff would be, in the words of Stinnett, Kleinmann, and Ware, "repugnant to the spirit of professional negotiations."[51] The American Association of School Administrators, a department in the NEA to which most school superintendents in the United States belong, takes a similar view.

There is, acknowledge Lieberman and Moskow, "a prima facie attractiveness" in viewing the role of the superintendent as "a resource person, mediator, consultant, or neutral third party . . . ."[52] But if this is to be his proper role, "who is to assume the administrative responsibility for preparing and negotiating the board's position? Surely this is not a job for a neutral adviser. It is a job for someone who is supporting the board's position, regardless of his advice to the board or personal preferences in the matter."[53] Teachers, they continue, "are not likely to accept the neutral status of the superintendent anyway,"[54] and have had to rely on him to carry teacher demands to the board only because of their own organizational weakness. Once teachers are well organized with full-time staffs to represent them, it will become apparent that the superintendent's most realistic role is that of agent of the board. "This does not mean that superintendents will ignore staff needs and desires."[55] If Lieberman and Moskow are correct, the widespread adoption of collective negotiations will help to clarify the superintendent's role.

According to Allen, a clear definition of the role of the superintendent awaits a definition of the role of the teacher organizations in the school environment. Allen discusses several possible roles which the process of collective negotiations implies for the superintendent, and concludes that, whichever role the superintendent assumes, his "leadership function . . . will continue to be just as necessary, and perhaps more so, in the process of collective negotiations as it has been in other issues related to school administration."[56] To facilitate a clarification of the superintendent's role, it might be well, he says, to spell out the responsibilities of the superintendency in future legislation.[57]

The view of many school boards, according to Wildman, is that they would prefer to have their policy-implementing administrative staff remain outside the "rank and file" organization: "A greater threat to the traditional role of the board is perceived to lie in the all-inclusive bargaining unit approach."[58]

Future of Negotiations

What does the future promise for collective negotiations? The consensus of these authors seems to be that the movement will expand at a continuing rapid rate, and that negotiations will continue to take place under a variety of procedures. In some states, for example, teacher-board of education negotiations are regulated by labor relations boards, in others by education agencies. Statutory variances such as these, and the differing positions of the two teacher organizations on matters such as unit membership of administrators, have so far denied the movement a coherent identity and have prevented a detailed definition of its goals. Although these writers in many instances recommend specific procedures negotiators should follow, generally, they favor legislation that permits flexibility in the conduct of negotiations, so that local teacher groups and boards of education can adopt procedures that fit local conditions.

They expect teachers to continue to press their demands for meaningful negotiations with school boards, and to organize more effectively in pursuit of this objective. The adoption of collective negotiations statutes by an increasing number of states should provide added impetus for the movement. Of course, negotiations will also continue to emerge in states which have not yet passed negotiations laws.

Most observers of the movement evaluate its present and anticipated impact on the educational system as desirable and even necessary for the welfare of the system. The most dramatic effect of the movement, the increased power of teachers, is generally welcomed as a prerequisite for a strong educational system. Since teachers constitute the largest portion of personnel within the school system, their power largely determines the power of the system. For this reason, Dykes considers the resistance of administrators and boards of education to greater involvement of teachers in decision making to be "irrational."[59]

Several writers have recognized the source of much teacher dissatisfaction as the conflict between teachers' emergent professionalism and the authoritarian value structure of the school bureaucracy. Present-day teachers, much better educated than their predecessors, resent the continuing interference of administrators in matters relevant to their professional expertise.

In Dykes' view, collective negotiations is one of a number of large social and cultural changes which will contribute to a reduction of conflict between teachers and administrators and to a democratization of the organizational structure of the schools. Administration will not be relegated to a secondary importance as a result of the shift to a democratic ideology, but, quite the contrary, will be required to "provide stronger and more effective leadership than is currently being provided."[60]

Ohm, on the other hand, anticipates "a growing conflict between teachers and administrators," and pleas for "extensive and intensive research on the problem."[61]

Some discussion of the future of the movement concerns a possible merger of the NEA and the AFT. Most differences between the two organizations center on the ideological distinction between "professionalism" and "unionism." But as each organization has adopted policies that enable it to compete more strongly with the other, these differences have become more semantical than substantive. Lieberman and Moskow foresee "a time when the differences will not seem worth the struggle, and the membership in both organizations will seek some sort of accommodation."[62]

Since a significant number of teachers apparently will never resign themselves to affiliation with organized labor, any such accommodation would probably require, as Elam has implied, the AFT to forego its long standing ties with the AFL-CIO. "Certainly," he has stated, "labor affiliation is not essential to effectiveness for a national teacher organization."[63] United, teachers would be strong enough to be independent of any group.

A differing view of any prospective merger between the NEA and the AFT is taken by Doherty and Oberer, who claim that "too much is to be gained by separation."[64] Although competition between the two organizations in some cases has had a divisive effect on the school program and has meant costly duplication of efforts, it has also provoked each organization to mount greater efforts on behalf of teachers than it would have attempted alone. In addition, the instincts of the hierarchies in both organizations toward self-preservation, and the continuing intensity of the rivalry make it highly unlikely, in the near future at least, that the two organizations would see fit to unite.

Lieberman and Moskow have described the probable impact of collective negotiations on school boards and district organizations. To begin with, the fiscal structure of local school boards will probably have to be adjusted in several ways which will both increase and decrease the authority of school boards to make certain decisions.[65]

The ability of organized teachers to extract more money from the community for support of education, and particularly for higher teacher salaries, has been noted by Doherty and Oberer.[66] So far, however, teacher power has been concentrated in more affluent urban areas. Districts in these areas are naturally better equipped to respond to teacher demands than are districts

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in poorer areas. Therefore, a further effect of collective negotiations, as Lieberman and Moskow see it, will be an intensification of existing inequalities of educational support from school district to school district. And a corollary effect will likely be the quickening of the pace of school district consolidation as public financial authorities seek to broaden the geographical base for taxes to meet teacher demands.[67]

In the past Lieberman has frequently been outspoken about the docility and inertia which characterized teached organizations in the pre-negotiations era and which continue to infect teacher ranks in some measure even today. In a 1964 paper reissued in READINGS, Lieberman severely faults teachers for their "organizational naivete . . . their bumbling and fumbling organizations, and their appalling leadership."[68] Some of Lieberman's criticisms of teachers in 1964, e.g., his assertion that nonpartisanship in education is a "fallacy," continue to have applicability today. However, his more recent writings illustrate better than anything else the rapidity of the shift that has occurred in the relative strengths of teachers and boards of education.

In October, 1967, Lieberman described in *The American School Board Journal* the rapidly improved staffing, funding, and overall leadership of teacher organizations, and listed the impressive amount of resources both organizations are now devoting to collective negotiations on local, state, and national levels. In the same article, he predicted "disastrous" consequences for school managers in the adversary process of negotiations unless they strengthen their own resources to deal with the process.[69] Within three years, Lieberman has moved from exhorting teachers to action to exhorting boards of education to action. The presumption of Lieberman, and of all the authors of these works, is that education must remain a cooperative enterprise of teachers, supervisors, administrators, and boards of education; proper use of the negotiations process by each of these groups is one way to guarantee that it will.

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